

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

DAVID HOWARD DIXON, )  
Plaintiff, )  
v. ) Case No. 3:23-cv-00781  
TROUSDALE TURNER ) Judge Campbell/Frensley  
CORRECTIONAL CENTER et al., )  
Defendants. )

**ORDER**

On September 15, 2023, the Court ordered pro se and *in forma pauperis* Plaintiff David Howard Dixon to complete service packets and return them to the Clerk's Office within 30 days. Docket No. 4. The Court reminded Dixon that process cannot be served on unidentified individuals and that he was obligated to conduct an investigation to determine the names of the unidentified defendants. *Id.* When Dixon did not return the service packets by the deadline, on October 30, 2023, the Court ordered Dixon to show cause by November 20, 2023, why his claims should not be dismissed for failure to effect service of process and failure to prosecute. Docket No. 5. On November 1, 2023, Dixon completed service packets for Defendants Tiffany Robertson and f/n/u Gayther, as well as a service packet for "Name Still Unknown (But on Camera)[.]" Docket No. 6, p. 3. The Clerk of Court issued three summonses and placed the summonses in the U.S. Marshals Service box. Docket No. 6. Dixon did not complete a service packet for the fourth defendant, who is also unidentified.

Service packets must be completed for all four defendants in this action, and process cannot be served on unidentified individuals. Dixon MUST exercise due diligence and conduct a

reasonable investigation, or if necessary, conduct discovery to promptly determine the full and complete names of the two unidentified defendants.<sup>1</sup> Upon determining the names of these defendants, Dixon MUST complete new service packets for them with their full and complete names and return the packets to the Clerk's Office so that they may be served. Dixon MUST then file a motion under Federal Rule of Civil Procedure 15 to amend the complaint to name the defendants.

Because Dixon appears pro se, and because he has shown that he is attempting to comply with the Court's rules regarding service, the Court finds that he has adequately responded to the show-cause order and will exercise its discretion and EXTEND the service period to December 15, 2023. Dixon is warned that failure to comply with this Order will likely result in a recommendation that claims against any unserved defendants be dismissed.

**IT IS SO ORDERED.**



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**Jeffery S. Frensley**  
**United States Magistrate Judge**

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<sup>1</sup> The Court's "Pro Se Handbook for Prisoner Civil Rights Actions" provides guidance on service of process and discovery, among other topics. See <https://www.tnmd.uscourts.gov/content/pro-se-handbook-prisoner-civil-rights-actions>.